

# **ATTACHMENT B**

Serial No. 10548691 Filing Date \_\_\_\_\_ OFGS File No. P/746-7  
Title Metal Pigments Comprising a Cross-Linkable  
First Inventor FRANK HENGLEIN Date 5/17/07  
The PTO has received: Last Due Date: \_\_\_\_\_

<input type="checkbox"/> Patent Application of _____	<input type="checkbox"/> TM Application <input type="checkbox"/> ITU Basis
Pages (including claims & abstract)	<input type="checkbox"/> Statement of Use
<input type="checkbox"/> Declaration or <input type="checkbox"/> Designation Sheet	<input type="checkbox"/> Extension of Time
<input type="checkbox"/> Drawings _____ Sheet(s)/Figs. _____ to _____	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Priority Document	<input type="checkbox"/> Brief
<input type="checkbox"/> Small Entity Declaration	<input type="checkbox"/> Petition
<input type="checkbox"/> Assignment & Conveyance Cover Sheet	<input type="checkbox"/> Status Request
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Issue Fee
<input type="checkbox"/> PTO-1449	<input checked="" type="checkbox"/> Certificate of Mailing
<input type="checkbox"/> Amendment	<input type="checkbox"/> Express Mail No. _____
<input type="checkbox"/> Affidavit or Declaration	
<input checked="" type="checkbox"/> Response To Notification of Missing Requirements	
<input type="checkbox"/> Check No. _____ for \$ _____	
Atty/Secy <u>MAF/MS</u>	

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Frank HENGLEIN, et al.

Date: May 17, 2007

Serial No.: 10/548,691

International Application No.: PCT/EP2004/014663

International Filing Date: 23 December 2004

For: METAL PIGMENTS COMPRISING A CROSS-LINKABLE BINDING AGENT  
COATING, COATING COMPOSITION, METHOD FOR THE PRODUCTION OF  
COATED METAL PIGMENTS AND USE THEREOF

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Mail Stop: Box PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

In response to the Notification of Missing Requirements mailed March 21, 2007 (copy enclosed), please be informed that on August 16, 2006, Applicant's Declaration was filed, executed and accompanied by payment of the \$130.00 surcharge. A copy of the prior submission is enclosed. Since this Missing Requirement has been supplied prior to the Notice, no further submission in response to the enclosed Notification is required.

With regard to the additional note in the Notification of a defect that had been observed, namely, that "Annexes have not been entered because claims must fall into consecutive order," it is presumed that this is due to the fact that the English translation of an Annex of the German language International Preliminary Examination Report, consisting of a single page showing an amendment which was entered in the PCT application, was paginated differently than its German original, such that the two pages began at different parts of the Specification, and therefore they did not begin and end with the same claim numbers, giving the appearance that the claims did not fall into consecutive order. This was done in order that the pagination of the single page of

English translation of the Specification would match the original English translation of the Specification before the amendment occurred in the PCT application so that a page-for-page comparison could be performed in the English translation. In fact, the English translation of the Specification does not change the consecutive order of the claim numbers, and the undersigned has had the English translation of the Specification repaginated, incorporating the PCT amendment, producing a single page that exactly matches the page submitted from the German language Annex. That repaginated English translation is enclosed herewith, along with the German language page from the amended PCT application, with the request that the Annex now be entered into the above-identified U.S. national stage application.

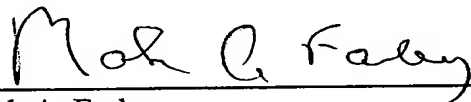
In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop: Box PCT (DO/EO/US), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 17, 2007:

Respectfully submitted,



Mark A. Farley  
Registration No.: 33,170  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700

Mark A. Farley

Name of applicant, assignee or  
Registered Representative



Signature

May 17, 2007

Date of Signature

MAF:ns  
Enclosures

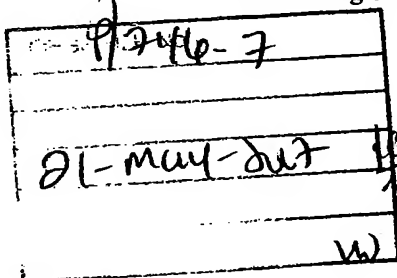


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,691	Frank Henglein	P/746-7

Mark A Farley  
Ostrolenk Faber Gerb & Soffen  
1180 Avenue of the Americas  
New York, NY 10036-8402



INTERNATIONAL APPLICATION NO.
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PCT/EP04/14663

I.A. FILING DATE	PRIORITY DATE
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12/23/2004

12/23/2003

CONFIRMATION NO. 9420

371 FORMALITIES LETTER



\*OC000000023007015\*

Date Mailed: 03/21/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

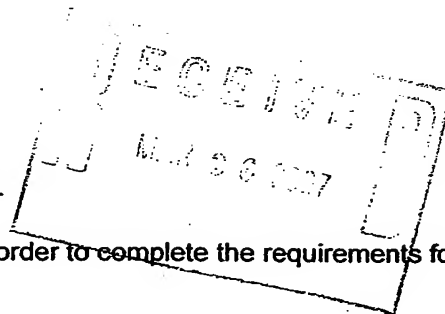
- Copy of the International Application filed on 06/23/2006
- English Translation of the IA filed on 06/23/2006
- Copy of the International Search Report filed on 06/23/2006
- Copy of IPE Report filed on 06/23/2006
- Copy of Annexes to the IPER filed on 06/23/2006
- English Translation of Annexes to the IPE filed on 06/23/2006
- Preliminary Amendments filed on 06/23/2006
- Information Disclosure Statements filed on 06/23/2006
- Oath or Declaration filed on 06/23/2006
- U.S. Basic National Fees filed on 06/23/2006
- Priority Documents filed on 06/23/2006
- Specification filed on 06/23/2006
- Claims filed on 06/23/2006
- Abstracts filed on 06/23/2006
- Drawings filed on 06/23/2006

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.



- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because claims must fall into consecutive order..

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/584,691	PCT/EP04/14663	P/746-7

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Frank HENGLEIN, et al.

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COATED METAL PIGMENTS AND USE THEREOF

Mail Stop: Box PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**SUBMISSION OF DECLARATION**

Sir:

In the absence of a Notification of Missing Requirements under 35 U.S.C. § 371, enclosed herewith is an inventors' Declaration together with our Check No. 25542 for \$130.00 for large entity.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

**EXPRESS MAIL CERTIFICATE**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EV605028611US) in an envelope addressed to:  
Mail Stop PCT (DO/EO/US)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on August 16, 2006

\_\_\_\_\_  
Dorothy Jenkins  
Name of Person Mailing Correspondence

\_\_\_\_\_  
Signature  
August 16, 2006  
Date of Signature

RCF:rra  
00782281.WPD

Respectfully submitted,

\_\_\_\_\_  
Robert C. Faber  
Registration No.: 24,322  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700